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PATENT TRADEMARK OFFICE

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Wendy A. Frick

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**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Kaumaya, et al.

Serial No.: 09/632,036

Filed: August 3, 2000

For: **POLYPEPTIDES AND  
POLYNUCLEOTIDES FOR  
ENHANCING IMMUNE REACTIVITY  
TO HER-2 PROTEIN**

Examiner: Holleran, Anne L.

Group Art Unit: 1642

Attorney Docket No.: 18525/04011

Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE**

Dear Sir:

This letter is in response to the document mailed February 26, 2003 indicating that applicants, by electing SEQ ID NO. 6 and SEQ ID NO. 42, had elected a B cell epitope and T cell epitope instead of two B cell epitopes, and was, thus, not fully responsive to the restriction requirement mailed on October 10, 2002. As shown in the Second Preliminary Amendment which was filed concurrently with the response to the restriction requirement, as well as the first Preliminary Amendment which was filed on April 3, 2002, SEQ ID NO. 42 is the sequence of a B cell epitope. SEQ ID NO. 42 had inadvertently been left out of the original sequence listing and was added to the sequence listing at the same time Applicants filed their first Preliminary Amendment. Since applicants had elected two B cell epitopes as requested by the Patent Office, applicants submit that the response to the restriction requirement, which was mailed on December 3, 2002, was fully responsive.

Applicants would like to thank Examiner Holleran for the telephone interview on March 26, 2003, in which the addition of SEQ ID NO. 42 by the preliminary amendments was discussed. If there are any further questions regarding this response or the preliminary amendments, the Patent Office is encouraged to call the undersigned at the phone number listed below.

Respectfully submitted

Date: March 26, 2003

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